



News Release

US Office of Surface Mining Reclamation and Enforcement (OSM)



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Mining Reclamation Leaders Honored for Significant Contributions

*Five Recognized in honor of 30th Anniversary of
Surface Mining Control and Reclamation Act*

(Kentucky, Oklahoma, Illinois and Virginia Editors note local angle)

(Washington, DC) Five people who have made significant contributions to the regulation of coal mines and the reclamation of mined lands were honored August 3 in Washington, DC, on the 30th Anniversary of a landmark environmental law.

The five were honored at a recognition ceremony at the headquarters of the US Office of Surface Mining Reclamation and Enforcement (OSM) in Washington. Each was introduced by OSM and Department of the Interior officials and commended for their “many years of service and unrelenting commitment” to the goals of the Surface Mining Reclamation and Control Act of 1977.

They five receiving honors were:

Joseph L. Blackburn, Program Manager for Field Support at OSM's Lexington, KY, Field Office;
Mike Kastl, Director of the Oklahoma Abandoned Mine Land (AML) Reclamation Program;
Dean Spindler, Supervisor of Operations/Soil Scientist for the Illinois Office of Mines and Minerals, Land Reclamation Division;
Dwight Thomas, Acting Director, OSM's Tulsa, OK, Field Office; and
Benny R. Wampler, Deputy Director of Virginia's Department of Mines, Minerals and Energy.

OSM commemorated the 30th Anniversary of SMCRA by focusing on the people who have made it successful, recognizing the work of all Federal, State and Tribal employees past and present in addition to the five individuals selected for special recognition.

The Surface Mining Control and Reclamation Act (SMCRA) was sponsored by Rep. Morris K. Udall and 17 co-sponsors. When it was signed by President Jimmy Carter August 2, 1977, it created the federal authority under which all surface coal mining regulation and reclamation programs in the country operate. It established the US Office of Surface Mining Reclamation and Enforcement to work cooperatively with the coal States and Tribes to implement the Act.

Since 1977 SMCRA has proven to be a dynamic tool for protecting citizens and restoring mined lands. Since it's enactment about 2 million acres have been mined and reclaimed and about 240,000 acres of high-priority abandoned mine hazards have been eliminated through the collaborative efforts of thousands of dedicated Federal, State and Tribal professionals.

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SIGNIFICANT CONTRIBUTION AWARD HONOREES

Joseph L. Blackburn

Program Manager for Field Support
OSM Lexington (KY) Field Office

Joseph L. Blackburn was one of the original 29 inspectors selected by OSM in 1978. He quickly earned a position overseeing the interim regulatory program in four states and more than 6,600 mines. In the early 1980s, he oversaw the Lexington Field Office's effort to address mine operators resisting SMCRA compliance by taking advantage of a loophole in the law that exempted mines of less than two acres. Blackburn has been instrumental in the reclamation of more than 1,300 mines sites, restoring 3,000 mined acres and the collection of more than \$1 million in delinquent Abandoned Mine Land fees.

Because of his success developing and managing regulatory programs, Blackburn has been called upon assist several critical OSM initiatives, including the West Virginia Federal Assistance in 1991. He was also picked to help draft the inspection and enforcement components of the Federal Model Program.

Mike Kastl

Director
Oklahoma Abandoned Mine Land Reclamation Program

When Mike Kastl started working for the Oklahoma Conservation Commission 32 years ago, 16 eastern Oklahoma counties had more than 32,000 acres of surface abandoned mine lands and more than 40,000 acres of abandoned underground mines. His first assignment was to help the counties deal with the extensive damage while monitoring the work Congress was doing to draft the Surface Mining Act.

Kastl is an acknowledged pioneer, advocate and leader a national level in the fight to correct the damage and dangers caused by historic and abandoned coal mines. He coordinated the formation of the Mid-Continent Coal Coalition, which was instrumental in securing Abandoned Mine Land (AML) funding for "Minimum Program" States and Tribes. He helped develop the first AML technical course for State and Federal project inspectors as well as teaching other OSM courses.

Dean Spindler

Supervisor of Operations/Soil Scientist
Illinois Office of Mines and Minerals, Land Reclamation Division

Dean Spindler has served the people of Illinois for 31 years with the state's Land Reclamation Division. In his quiet, understated manner he has been both educator and mentor for the people of Illinois. Committed to making the science of Geology available to everyone, Spindler has developed several education programs and tools for Illinois educators to include helping develop the "Mining and Minerals Jeopardy Game." Additionally, many of the prime farmland rules which he developed have set the standard for the rest of the nation.

He currently serves as the soil scientist overseeing the Prime farmland Reclamation program and as Bond Release manager. He developed the educational outreach program for the Illinois Office of Mines and Minerals and in the past served as Non-Coal Reclamation program manager. He has served as a geology instructor for Lincoln Land Community College for the past 10 years.

Dwight Thomas
Acting Director
OSM Tulsa (OK) Field Office

Dr. Dwight Thomas was the right person at the right time when he joined OSM in 1979. A proven educator and innovator with the Bureau of Indian Affairs, he joined an Agency whose critical mission would require both innovation and training. He lent a hand in the creation and development of OSM's Technical and Innovation and Professional Services (TIPS) and National Technical Training Program (NTTP), to which he still volunteers his efforts.

He has served in a variety of positions in Knoxville, TN, Pittsburgh, PA and the Tulsa Field Office. His roles have included technical training, technical assistance, permit review, oversight of State program implementation, program and project management as well as twice stepping up to the plate as interim Field Office Director. Leading several critical program and oversight studies, Dr. Thomas never failed to develop a better way for State and Federal regulators to improve America's coalfields in a cooperative spirit.

Benny R. Wampler
Deputy Director
Virginia's Department of Mines, Minerals and Energy

Benny Wampler has been with Virginia's Department of Mined Land Reclamation (DMLR) program from the very beginning. He was hired by Virginia in 1978 to develop a state program to implement the new federal law regulating coal mining. Since then, Benny has earned a reputation nationwide as a maverick and an innovator who consistently seeks creative and common sense solutions to the administration of this complex law.

In 1986, Wampler was named Deputy Director for the Virginia Department of Mines, Minerals, and Energy. Working closely with former DMME Director Gene Dishner, Benny helped establish the agency as a model in the strategic management of its programs and resources and by focusing on the needs of its primary customers and stakeholders, the regulated mining and gas and oil industries and citizens affected by extraction activities. His success was reflected in DMME's recognition by the U.S. Senate Productivity and Quality Award Program with its Medallion of Performance Excellence in 1996 and Award for Continuing Excellence in 2001.

30th Anniversary of SMCRA

Background

August 3, 2007 marked the 30th anniversary of one of the nation's most significant environmental laws – the Surface Mining Control and Reclamation Act (SMCRA).

Controversial from its beginning, the legislation was fiercely opposed by the coal industry and many of the States that would be responsible for enforcing it. Two versions of the law were vetoed before President Jimmy Carter signed it into law August 3, 1977.

In the 30 years since the Federal Government, States, Tribes, industry, environmentalists and communities have formed partnerships that have made the nation's coalfields a safer place to live and work.

The “Saudi Arabia of Coal”

Although it covers only about five percent of the Earth's surface, the United States possesses one-fourth of the world's coal resources, with more than 275 billion tons of recoverable reserves.

For more than two centuries, that bounty of coal fueled the young nation's development, providing heat for its growing cities, steam power for its factories and railroads. During the unprecedented growth and devastating world wars of the 20th Century, coal contributed to America's emergence as a global economic and military power.

Today more than half of America's electricity is generated by coal-fired utilities. Because we rely on it so heavily and because we have so much that we can rely on our own reserves, coal makes a crucial contribution to maintaining our Nation's energy security.

But coal has costs. What was good for the American industry, economy and national security was not good for the country's environment.

Before the enactment of the Surface Mining Act there was no national regulation of coal mining to ensure protection of citizens or the environment. It was well into the 20th century before a handful of states began to require that mining companies restore land as much as possible to its natural condition after mining. Even those efforts were overwhelmed by the national need for coal to support America's participation in World War II.

Millions of acres of mined-out lands had been abandoned, creating constant threats to the health, safety, and well-being of Americans living in the coal fields. Mine wastes dumped down slopes or poorly compacted on hillsides created an ever-present threat of landslides. Dangerous highwalls loomed over barren stretches of stripped earth where even weeds could not grow.

The advent of larger and more effective earth-moving machines made strip mining of coal more efficient than ever before. Leaders in Washington came under increasing pressure from citizens and environmental advocates to develop a national program to require coal mining reclamation.

Congress mandates “balance”

On August 3, 1977, after many years of debate, President Carter signed the Surface Mining Control and Reclamation Act -- the first federal law to regulate the environmental effects of strip mining and to require the reclamation of land and water damaged by coal mining. The act also created a fund to correct health and safety problems through reclamation of abandoned mines.

In enacting SMCRA, Congress stated that its goal was to “assure that the coal supply essential to the Nation's energy requirements and to its economic and social well-being is provided and strike a balance between protection of the environment and agricultural productivity and the Nation's need for coal as an essential source of energy.”

The law created two major programs to be carried out jointly by the states and the Federal Government.

The **Regulatory Program** establishes standards and procedures for approving permits and inspecting active coal mining and reclamation operations, both surface and underground. It also requires that coal companies obtain bonds to cover the costs of reclamation in case they fail to meet their obligations.

Since 1977, about 29.5 billion tons of coal have been mined responsibly under SMCRA. At the same time, the coal industry has successfully reclaimed more than 2 million acres of mined lands.

The **Abandoned Mine Lands Program** reclaims mine lands abandoned before passage of SMCRA. It is financed by fees paid by coal companies on each ton of coal mined.

Almost 240,000 acres of high-priority abandoned mine lands have been reclaimed since 1977. Thousands of serious safety hazards have been eliminated.

Congress also included provisions for prohibiting mining in sensitive areas and providing for citizen participation in mine permitting, inspection and enforcement.

Ensuring that the surface mining act's requirements are met is the responsibility of the Office of Surface Mining Reclamation and Enforcement (OSM), a small bureau within the Department of the Interior. Under the Surface Mining Law, the Secretary of the Interior grants direct regulatory authority to State governments, provided they develop programs that meet federal standards.

Once a state is granted "primacy," it takes over responsibility for issuing coal mine permits, conducting inspections, and taking enforcement actions. Of the 26 coal-producing states, 24 have primacy. OSM retains regulatory authority on Indian lands and in coal states that do not have primacy. An amendment to SMCRA enacted in 2006 gives Indian Tribes the same ability as States to assume primacy and enforce surface mining regulations.

The Federal government, through OSM, retains responsibility for monitoring states to ensure that they properly carry out their delegated authorities. The agency's oversight role helps states to maintain high standards, contributes to operator compliance, and maintains a level playing field so that the coal industry in any one state does not gain an unfair economic advantage.

OSM supports States and Tribes by providing 50 percent of regulatory program funding and full funding for the reclamation of abandoned mine lands. OSM also provides training and technical assistance and works with colleges and universities to develop new technologies to improve reclamation techniques. OSM operates programs to eliminate the environmental and economic impacts of acid mine drainage from abandoned mines and to encourage reforestation of reclaimed mine land.

At many mine sites today reclamation can be accomplished to a level unimaginable when SMCRA was enacted. After coal has been mined there are new wetlands, productive commercial forests, native hardwoods and new fish and wildlife habitat. When mined land is reclaimed to farmland, it often has high productivity and sells at a premium over prime farmland that has not been mined.

When it enacted the Surface Mining Act in 1977, Congress made a promise to the American people that they would continue to receive the energy benefits of our Nation's vast coal reserves, but in the future coal would be mined responsibly and mined lands would be reclaimed. Congress also promised that coal field citizens would be protected and that the scars of old mining practices would be healed.

Since then it has been the work of the Office of Surface Mining, the States and the Indian Tribes, the coal industry, communities and citizens working cooperatively to keep that promise.